

1 **R277. Education, Administration.**

2 **R277-494. Charter, Online, Home, and Private School~~[-and-Online]~~ Student**  
3 **Participation in Extracurricular or Co-curricular School Activities.**

4 **R277-494-~~[2]~~1. Authority and Purpose.**

5 ~~[A-](1)~~ This rule is authorized by:

6 (a) Utah Constitution Article X, Section 3, which vests general control and  
7 supervision of public education in the Board~~[-]~~;

8 (b) Subsection 53A-1-401(3), which permits the Board to adopt rules in  
9 accordance with its responsibilities~~[-]~~;

10 (c) Subsection 53A-1a-519(6)(a)~~(1)~~, ~~[that]~~which directs the Board to make  
11 rules establishing fees for a charter school student's participation in extracurricular  
12 or co-curricular activities at ~~[school-district]~~certain public schools~~[-]~~; and

13 (d) Subsection 53A-2-214(6), which directs the Board to make rules  
14 establishing fees for an online student's participation in extracurricular or co-  
15 curricular activities at ~~[school-district]~~certain public schools.

16 ~~[B-](2)~~ The purpose of this rule is to inform school districts, charter and online  
17 schools, and parents of:

18 (a) school participation fees; and

19 (b) state-determined requirements for a charter school or a public online  
20 school student to participate in an extracurricular~~[-athletics-and]~~ activit~~ies~~y at a  
21 student's boundary school.

22 **R277-494-~~[1]~~2. Definitions.**

23 ~~[A-](1)~~ "Activity fee~~s~~" means a fee~~s~~ that:

24 (a) ~~[are]~~is approved by a local school board or public school~~[-and]~~;

25 (b) is charged to all students to participate in an~~y-or-all~~ activit~~ies~~y  
26 sponsored by or through the public school~~[-]~~; and

27 (c) ~~[Fees vary among districts and schools and-]~~entitles a public school  
28 student to:

29 (i) participate in a ~~[regular-]~~school activit~~ies~~y~~[-]~~;

30 (ii) ~~[to-]~~try out for an extracurricular or co-curricular school activit~~ies~~y~~[-]~~;

31 (iii) ~~[to-]~~receive transportation to an activit~~ies~~y~~[-]~~; and

(iv) ~~[to]~~ attend a regularly scheduled public school activit[ies]y.

~~[B. "Board" means the Utah State Board of Education.~~

~~—— C. "Charter school" means a school acknowledged as a charter school by a chartering entity under Sections 53A-1a-515, 53A-1a-521, and R277-470 or by the Board under Section 53A-1a-505.]~~

~~[D.](2) "Co-curricular activity" means a school district or school activity, course, or experience that includes a required regular school day component and an after school component[;], including a special program[s] or activit[ies]y such as a program[s] for a gifted and talented student[s], a summer program[s], and a science [and]or history fair[s are co-curricular activities].~~

~~[E.](3) "Extracurricular activity" means an athletic program or activity sponsored by [the]a public school and offered, competitively or otherwise, to a public school student[s] outside of the regular school day or program.~~

~~[F. "Online school" means a school:~~

~~—— (1) that provides the same number of classes consistent with the requirement of similar public schools;~~

~~—— (2) that delivers course work via the internet;~~

~~—— (3) that has designated a readily accessible contact person; and~~

~~—— (4) that provides the range of services to public education students required by state and federal law.]~~

(4) "Online school" means a formally constituted public school that offers full-time education delivered primarily over the internet.

(5) "Qualifying school" means:

(a) for purposes of a charter school student, a school described in Subsection 53A-1a-519(1);

(b) for purposes of an online school student, a school described in Subsection 53A-2-214(2); and

(c) for purposes of a private or home school student, a school described in Subsection 53A-11-102.6(2)(c).

~~[G. "Pay to play fees" means the fees charged to a student to participate in a specific school-sponsored extracurricular or co-curricular activity. All fees shall be approved annually by the local board of education.]~~

64           ~~[K.](6)~~ “School participation fee” means the fee paid by the charter~~[f]~~ or online  
65 school to ~~[the boundary]~~ a qualifying school consistent with Section R277-494-~~[4]~~3  
66 for student participation in an extracurricular~~[ or co-curricular]~~ activit~~[ies]~~y.

67           ~~[H. “Student’s boundary school” means the school the student is designated~~  
68 ~~to attend according to where the student’s legal guardian lives or the school where~~  
69 ~~the student is enrolled under Section 53A-2-206.5 et seq.]~~

70           ~~[I.](7)~~ “Student’s school of enrollment” means the public school in which the  
71 student is enrolled consistent with Section 53A-11-101 et seq.

72           ~~[J. “Student fee waivers” means all expenses for an activity that are waived~~  
73 ~~for student participation in the activity consistent with Section 53A-12-103 et seq.~~  
74 ~~and R277-407.]~~

75           ~~[L.](8)~~ “Student participation fee” means the fee charged to all participating~~[~~  
76 ~~charter/online and traditional school]~~ students by ~~[the boundary]~~ a qualifying school  
77 for a designated extracurricular or co-curricular activit~~[ies]~~y consistent with Rule  
78 R277-407.

79       **R277-494-3. ~~[Requirements for Payment and Participation Integral to the~~**  
80       **~~Schedule]~~ Charter and Online School Student Participation in Extracurricular**  
81       **Activities at Another Public School.**

82           ~~[A.](1)~~ A charter or online school~~[ shall allow]~~ student may participat~~[ion]~~e in  
83 an extracurricular activit~~[ies]~~y ~~[ designated under R277-494-1E upon]~~at a qualifying  
84 school if:

85           (a) the extracurricular activity is not offered by the student’s charter or online  
86 school;

87           (b) the student satisf~~[action of]~~ies the requirements~~[ and payments]~~ of this  
88 rule;~~[ and]~~

89           (c) ~~[satisfaction of school district]~~the student meets the qualifying school’s  
90 standards and requirements[-]; and

91           (d) the student's parent agrees to provide the student transportation to the  
92 qualifying school for the extracurricular activity.

93           (2)(a) A charter or online school of enrollment shall determine if the school will  
94 allow students to participate in extracurricular or co-curricular school activities at

95 qualifying schools.

96 (b) If a charter or online school allows one student to participate in a  
97 extracurricular or co-curricular activity at a qualifying school, the charter or online  
98 school shall allow all interested students to participate.

99 ~~[B:]~~(c) A charter or online school student's school of enrollment shall pay a  
100 school participation fee of \$75.00 per student~~[shall be paid by the student's school~~  
101 ~~of enrollment]~~ to the [boundary]qualifying school at which the charter or online school  
102 student desires to participate.

103 (d) Upon annual payment of the school participation fee, the student may  
104 participate in all extracurricular school activities ~~[as defined in R277-494-1E]~~at the  
105 school during the school year for which the student is qualified and eligible.

106 (e) A charter or online school of enrollment shall cooperate fully with all  
107 qualifying schools:

108 (i) regarding students' participation in try-outs, practices, pep rallies, team  
109 fund raising efforts, scheduled games, and required travel; and

110 (ii) by providing complete and prompt reports of student academic and  
111 citizenship progress or grades, upon request.

112 ~~[C:]~~(3)(a) The school participation fee ~~[paid by the charter or online~~  
113 ~~school]~~described in Subsection (2)(c) is in addition to:

114 (i) [individual]a student participation fee[s] for a specific extracurricular  
115 activit[ies]y; and

116 (ii) the activity fee[s] charged to all students in [the]a [secondary]qualifying  
117 school to supplement a school activit[ies]y as assessed by the school consistent with  
118 this rule.

119 (4) Except as provided in Subsection (6), a charter or online school [S]student  
120 who participates in an extracurricular activity at a qualifying school shall pay a  
121 student participation fee[s] or required activity fee[s shall be paid] to the  
122 [boundary]qualifying school [by the participating student]in accordance with  
123 deadlines set by the qualifying school.

124 ~~[D:]~~(5) All fees, including school participation fees, student participation fees,  
125 and activity fees shall be paid prior to a charter or online school student's  
126 participation in an activity at the qualifying school.

127           [E-](6) If a participating charter or online school student qualifies for a fee  
128 waiver[s], in accordance with Rule R277-470, the charter or online student's school  
129 of enrollment shall pay all waived student participation fees[~~shall be paid~~] to the  
130 [boundary]qualifying school[~~by the student's school of enrollment~~] prior to the  
131 student's participation in an activity at the qualifying school.

132 **R277-494-4. [Additional Provisions]Charter or Online School Student**  
133 **Participation in Co-Curricular Activities.**

134           [A-](1)(a) A [E]charter[;] or online school [~~and traditional~~]may negotiate with  
135 another public school[s may negotiate] to allow a charter or online student to  
136 participat[ion]e in a co-curricular activit[ies]y at the other public school, [such  
137 as]including:

138           (i) a debate, drama, or choral program[s];

139           (ii) a specialized course[s] or program[s] offered during the regular school  
140 day[;]; and

141           (iii) a school's [district-]sponsored enrichment program[s] or activit[ies]y.

142           (b) [~~Participating charter/online students shall be required to~~]A student who  
143 participates in a co-curricular activity described in Subsection (1)(a) shall meet  
144 [all]the same attendance and course requirements expected of [all boundary]the  
145 public school's full-time students.

146           [B-](2) A charter [~~and~~]or online school student participating under this rule  
147 shall meet all eligibility requirements and timelines of the [boundary]public school.

148 **R277-494-5. Private or Home School Student Participation in Extracurricular**  
149 **Activities.**

150           (1) In accordance with Section 53A-11-102.6, a private or home school  
151 student may participate in an extracurricular activity at a qualifying school if:

152           (a) for a private school student, the extracurricular activity is not offered by the  
153 student's private school;

154           (b) the student satisfies the requirements of:

155           (i) Section 53A-11-102.6; and

156           (ii) this rule; and

157 (c) the student meets the qualifying school's standards and requirements.

158 (2) Except as provided in Subsection (3), a private or home school student  
159 shall pay a student participation fee or required activity fee to the qualifying school:

160 (a) before the student may participate in the extracurricular activity at the  
161 qualifying school; and

162 (b) in accordance with deadlines set by the qualifying school.

163 (3) If a private or home school student qualifies for a fee waiver in accordance  
164 with Rule R277-407, the qualifying school shall waive the student participation fee  
165 or required activity fee in accordance with the requirements of Rule R277-407,  
166 School Fees.

167 **R277-494-6. Private or Home School Student Participation in Co-curricular**  
168 **Activities.**

169 A private or home school student may participate in a co-curricular activity at  
170 a public school in accordance with the dual enrollment provisions of rule R277-438.

171 **KEY: extracurricular, co-curricular, activities, student participation**

172 **Date of Enactment or Last Substantive Amendment: [December 9, 2013]2015**

173 **Notice of Continuation: [October 4, 2013]2015**

174 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3);**  
175 **53A-1a-519(6)(a); 53A-2-214(6)**